court to grant a rehearing in order to accomplish an enlargement of the record; the Board's recent Ex-Cell-O opinion is properly the subject of judicial notice.

Per Curiam.

Circuit Judge MacKinnon would grant the aforesaid motions.

Letter dated September 2, 1970 from Counsel for the National Labor Relations Board to the Clerk of the United States Court of Appeals for the District of Columbia Circuit.

Nathan J. Paulson, Esquire
Clerk, United States Court of Appeals for the District of Columbia Circuit
United States Court House
3rd & Constitution Avenue, N. W.
Washington, D. C.

Re: Nos. 23,209 and 23,321 respectively—*I. U. E.* v. *N. L. R. B.* and *N. L. R. B.* v. *Tiidee Products, Inc.* (C. A. D. C.) Board Case Nos. 9-CA-4618, 4639, 4710.

DEAR MR. PAULSON:

On August 29, 1970, the Board issued its decision in *Ex-Cell-O Corporation*, 185 NLRB No. 20. The briefs in the instant case have been filed with the Court for some months and, consequently, could not include the *Ex-Cell-O* decision.

Since the Board's Ex-Cell-O decision bears directly on the issue of additional remedy requested by the Union herein, we would appreciate your bringing the decision,

three copies of which are included herein, to the attention of the Court.

Thank you for your co-operation.

Very truly yours,

MARCEL MALLET-PREVOST,
Assistant General Counsel.

By /s/ EUGENE B. GRANOF,
Eugene B. Granof,
Attorney.

Enclosure
cc: Roy E. Brown, Esquire [with enclosure]
Melvin Warshaw, Esquire [with enclosure]